

HOUSE BILL 2165
By Shepard

AN ACT to amend Tennessee Code Annotated, Section 49-2-301,
relative to recreating the elected office of superintendent of
schools in certain counties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-301, is amended by adding the
following new subsection:

(e)

(1) Notwithstanding the provisions of subsections (a), or any other provisions of chapter 535 of the public acts of 1992 to the contrary, any county operating a school system may re-establish the office of elected school superintendent by a two-thirds (2/3) vote of the membership of the county governing body. The office shall be filled by popular vote for a term of four (4) years. Elections shall be held at the regular August election. The person elected shall take office September 1 following the election. The elected school superintendent shall have all the powers provided to directors of schools and any reference to "director of schools" shall be deemed to be a reference to "superintendent" in those counties which restore this office.

(2)

(A) If the office of elected school superintendent is re-established, this shall not act to abridge the contractual term of any appointed director of schools. If a county chooses to conduct an election prior to the expiration of a contract, it is the responsibility of the county governing body to satisfy any contractual obligation to an incumbent director of schools.

(B) No board of education shall appoint or extend the contract or term of a director of public schools after a county re-establishes the office of superintendent, but may appoint a qualified person as acting director until the office of superintendent is filled by the voters.

(3) An elected superintendent shall meet the following requirements:

(A) Be a person of literary attainment and experience in the art of teaching and school administration, and possess a license of qualification issued by the state board of education prior to the superintendent's election; provided, that no such license shall be revoked without a hearing to the holder as herein provided.

(B) The state board of education shall establish minimum requirements for qualifications of a superintendent, which shall include, but not be limited to, the following:

(i) The applicant shall hold a teacher's professional license with endorsement as principal or supervisor of instruction;

(ii) The applicant shall hold a master's degree with a major in education administration to include study areas such as:

(a) School organization and administration;

(b) Supervision, curriculum development and evaluation;

(c) School finance, housing, and transportation;

(d) School and communication relationships; and

(e) Technique of problem solving by group process; and

(iii) The applicant shall have had five (5) years' experience to include both teaching and/or administrative experience.

(4) The provisions of this subsection shall only apply to counties having populations, according to the 2000 federal census or any subsequent census, of:

not less than

nor more than

22,200

22,300

39,900

40,000

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.